

Exhibit 50

Document title: Chris Sprigman (@cjsprigman@urbanists.social) on Twitter: "I'm spittin' mad too. The law says that an artist can be held liable for a work that references a brand only if he tells people *explicitly* that the brand is connected to the art. Hermes' top lawyer admitted on the stand that Rothschild never did that. 1/" / Twitter

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Chris Sprigman (@cjsprigman@urbanists.social)
@CJSprigman

I'm spittin' mad too. The law says that an artist can be held liable for a work that references a brand only if he tells people *explicitly* that the brand is connected to the art. Hermes' top lawyer admitted on the stand that Rothschild never did that. 1/



Blake Gopnik @BlakeGopnik · Feb 9

My defense of @MasonRothschild as an artist, and of his #Metabirkins as art, in conversation with @DavidBranaccio on @Marketplace radio this morning. I'm spittin' mad...marketplace.org/shows/marketpl...

@CJSprigman

6:18 PM · Feb 9, 2023 · 1,862 Views

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Chris Sprigman (@cjsprigman@urbanists.so... @CJSprigm... · Feb 9 ...
Replying to @CJSprigman

That admission by Hermes should have been the end of the case. So, we'll take our arguments to the appellate court and see if we can vindicate the artist's first amendment right to make pictures of Birkin bags and to call them what they are--MetaBirkins. /end



2 386



Paul Safier @PaulSafier · Feb 9
Replying to @CJSprigman

The Rogers framework is completely broken in the Second Circuit, and now just means something like — extra strong likelihood of confusion.



1 55



Chris Sprigman (@cjsprigman@urbanists.so... @CJSprigm... · Feb 9 ...
Replying to @PaulSafier

So I think a close reading of Rogers and Twin Peaks suggests those are two different situations w/two different tests--and that the differences are defensible. Notice that both decisions are written by Judge Newman, and ...



1 57



Chris Sprigman (@cjsprigman@urbanists.so... @CJSprigm... · Feb 9 ...
Replying to @CJSprigman and @PaulSafier

... take a look at fn 5 in Rogers. Twin Peaks, which Judge Newman wrote 4 years later, involves the kind of title-vs-title conflict that Judge Newman predicted in fn 5, and which he said would not be subject to the full rigor of the Rogers test b/c, unlike in Rogers ...



1 38



Chris Sprigman (@cjsprigman@urbanists.so... @CJSprigm... · Feb 9 ...
Replying to @CJSprigman and @PaulSafier

... in a title-vs-title conflict like in Twin Peaks both parties have first amendment rights that must be "adjusted" to one another --see the literal first line of the Twin Peaks opinion for that point. And so ...



1 27



Chris Sprigman (@cjsprigman@urbanists.so... @CJSprigm... · Feb 9 ...
Replying to @CJSprigman and @PaulSafier

Whereas in cases like Rogers where only the defendant asserts free speech interests, liability is possible only if the use isn't artistically relevant to the

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My Warhol bio has been published, and I post my latest Warhol findings at [Warholiana.com](https://warholiana.com). My art Pics are at [BlakeGopnik.com](https://blakegopnik.com). I contribute to the NY Times.

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- Whereas in cases like Rogers where only the defendant asserts free speech interests, liability is possible only if the use isn't artistically relevant to the artwork at all, or if the use is *explicitly* misleading. Whereas in a title-vs-title case, where ...
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- Chris Sprigman (@cjsprigman@urbanists.so... @CJSprigm...** · Feb 9 ...
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- ... both parties are asserting speech rights, the test becomes less rigorous: it's basically (though not exactly) an "extra strong likelihood of confusion." In any event ...
- 1 20
- Chris Sprigman (@cjsprigman@urbanists.so... @CJSprigm...** · Feb 9 ...
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- It's clear, at least to me, that Rothschild should have won under either test. But he should win as a matter of law under the (O.G.) Rogers test, which is the test that applies.
- 1 66
- Chris Sprigman (@cjsprigman@urbanists.so... @CJSprigm...** · Feb 9 ...
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- Hell, he probably should have won as a matter of law under the Twin Peaks test as well. Plaintiffs' evidence of confusion was a few mistaken press reports (which should never have been admitted as confusion evidence) and...
- 1 106
- Chris Sprigman (@cjsprigman@urbanists.so... @CJSprigm...** · Feb 9 ...
- Replying to @CJSprigman and @PaulSafier
- ... a really really really poorly-done survey which showed zippo confusion when its errors were fixed by Rothschild's much more capable survey expert.
- 1 102

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